



7th JMTTC Legal Assistance Information

Home of Record Change

Please note that this Information Paper only provides basic information and is not intended to serve as a substitute for personal consultations with a Legal Assistance Attorney.

An individual's home of record is a place recorded as the home of the Soldier when commissioned, appointed, enlisted, inducted or ordered on active duty. It has nothing to do with your state of legal residence. The ability to change your home of record is very limited. In most cases, individuals will not be allowed to change their home of record.

If the home of record was originally recorded incorrectly, a change can be authorized. The individual must provide supporting documentation to justify the change, and in every case the burden is on the individual to justify a change to the home of record to file.

Servicemembers may change the place recorded as their home of record when reinstated, reappointed, or reenlisted if there is a break in service of more than one full day. Note, the home of record is NOT necessarily a servicemember's domicile, or state of legal residence, as these are two separate things. While home of record may remain unchanged over an entire military career, at his/her election a servicemember MAY change their state of legal residence/domicile if certain criteria are met.

To request a change of Home of Record:

Individuals requesting a home of record change must submit a written request with their full name, SSN and the place they want their home of record changed. The request should include any documentation (which is not already on file in the OMPF) to support their request. IAW AR 600-8-104, table 5-2, item 25 and AR 601-280, Para 11-10(2) and table 11-1, item 3.

Enlisted Soldiers may request changes from the Director, SRDC, ATTN: AHRC-ERP, Personnel Actions Branch, 899 E 56th Street, Indianapolis, IN 46249-5301. Note: the SRDC cannot change home of record on the ERB.

Officers may request changes from the Commander, U.S. Total Army Personnel Command, Alexandria, VA 22332-0400.

To request a change of Legal Residence

The formula for changing your State of legal residence/domicile is simply stated as follows: physical presence in the new State with the simultaneous intent of making it your permanent home and abandonment of the old State of legal residence/domicile. In most cases, you must actually reside in the new State at the time you form the intent to make it your permanent home. Such intent must be clearly indicated. Your intent to make the new State your permanent home may be indicated by certain actions such as: (1) registering to vote; (2) purchasing residential property or an unimproved residential lot; (3) titling and registering your automobile(s); (4) notifying the State of your previous legal residence/domicile of the change in your State of legal residence/domicile; and (5) preparing a new last will and testament which indicates your new State of legal residence/domicile.

Finally, you must comply with the applicable tax laws of the State which is your new legal residence/domicile.

Generally, unless these steps have been taken, it is doubtful that your State of legal residence/domicile has changed. Failure to resolve any doubts as to your State of legal residence/domicile may adversely impact on certain legal privileges which depend on legal residence/domicile including among others, eligibility for resident tuition rates at State universities, eligibility to vote or be a candidate for public office, and eligibility for various welfare benefits. If you have any doubt with regard to your State of legal residence/domicile, you are advised to see your Legal Assistance Officer (JAG Representative) for advice prior to completing this form. To change your state of legal residence/domicile use DD Form 2058.